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United Nations Environment Assembly of the United Nations Environment Programme

United Nations Environment Assembly of the United Nations Environment Programme
First session
Nairobi, 23–27 June 2014

Illegal trade in wildlife

Draft resolution submitted by the Committee of the Whole

The United Nations Environment Assembly,

Deeply concerned about the increasing scale of illegal trade in wildlife and its products, including forest products, including timber and marine species, and its adverse economic, social and environmental impacts,

Recognizing that the illegal trade in wildlife and its adverse impacts contributes to damage to ecosystems and rural livelihoods, undermines good governance and the rule of law and threatens national security and negatively impacts on sustainable utilization, including eco-tourism and wildlife-based tourism,

Recognizing also the role of the Convention on International Trade in Endangered Species of Wild Fauna and Flora as the principal international instrument for ensuring that international trade in specimens of wild animals and plants does not threaten their survival, and acknowledging the role of other Conventions in the area, such as the Convention on Migratory Species,

Recalling paragraph 203 of the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", in which it was recognized that firm and strengthened action needs to be taken on both the supply and demand sides, taking into account the role of the Convention on International Trade in Endangered Species of Wild Fauna and Flora,

Recalling Governing Council decision 27/9 on advancing justice, governance and law for environmental sustainability, in which the Council noted, inter alia, that offences against the environment, in particular illegal trade in wildlife, including timber, are increasingly committed by organized criminal groups and recalled that international cooperation at all levels in accordance with international law, while respecting national jurisdictions, contributes to combating those offences more effectively,

Reaffirming Economic and Social Council resolution 2013/40 on crime prevention and criminal justice responses to illicit trafficking in protected species of wild fauna and flora, in which the Council encouraged Member States to make illicit trafficking in protected species of wild fauna and flora involving organized criminal groups a serious crime, as defined in article 2, paragraph (b), of the United Nations Convention against Transnational Organized Crime,

Reaffirming resolution 23/1 of the United Nations Commission on Crime Prevention and Criminal Justice on strengthening a targeted crime prevention and criminal justice response to combat illicit trafficking in forest products, including timber, which encourages member States to make illicit trafficking in forest products, including timber, involving organized criminal groups a serious crime, as defined in article 2, paragraph (b), of the United Nations Convention against Transnational Organized Crime, where appropriate,

Reaffirming General Assembly resolution 68/193, emphasizing that coordinated action is critical to eliminate corruption and disrupt the illicit networks that drive and enable trafficking in wildlife, timber and timber products, harvested in contravention of national laws,

Welcoming the outcome of the twenty-second session of the Commission on Crime Prevention and Criminal Justice, which encouraged the integration and coordination of efforts by the United Nations Office on Drugs and Crime and member States in the field of crime prevention and criminal justice to deal effectively with the challenge posed by emerging crimes that have a significant impact on the environment,

Welcoming the commitments made by the ministers of tourism of Africa, the Secretary General of the World Tourism Organization and the representatives of relevant national and international organizations at a meeting held in Berlin on 6 March 2014,

Welcoming the conferences on illegal wildlife trade held in Gaborone, Paris and London, among others,

Stressing the need to maintain the political momentum generated through those and other high-level international and regional initiatives,

Welcoming the adoption of the African Elephant Action Plan as a framework for the conservation and management of the African elephant across the species range and the subsequent establishment the African Elephant Fund under the administration of the United Nations Environment Programme as a funding mechanism towards the implementation of the Action Plan,

Welcoming also the creation of the International Consortium to Combat Wildlife Crime, which includes the United Nations Office on Drugs and Crime, the secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, Interpol, the World Customs Organization and the World Bank, as an important collaborative effort to strengthen enforcement,

Acknowledging the value of relevant United Nations Environment Programme activities for international efforts to combat illegal trade in wildlife more effectively, such as, but not limited to, the Green Customs Initiative, and the work of United Nations Environment Programme World Conservation Monitoring Centre, and as a partner in the Collaborative Partnership on Sustainable Wildlife Management and the Global Forest Watch Initiative,

Acknowledging also the crucial role played by Governments and all relevant stakeholders, including indigenous and local communities, civil society and the private sector, in combating illegal trade in wildlife,

1. *Affirms* its strong determination to prevent, combat and eradicate the illegal trade in wildlife and wildlife products, including timber and marine species globally;

2. *Strongly encourages* member States and regional economic integration organizations to:

(a) Implement their commitments on fighting illegal trade in wildlife already taken in other forums;

(b) Provide leadership and mobilization of resources, including for the African Elephant Fund and other wildlife related funding mechanisms for strengthening the fight against the illegal trade in wildlife and wildlife products, in particular by making sure that the evidence on the trends and extent of the illegal trade, and action being taken, is robust and up to date;

(c) Take targeted action to eradicate supply and transit of and demand for illegal wildlife products including through raising awareness of illegal trade in wildlife and its impacts while respecting and protecting the legal and sustainable trade of wildlife products;

(d) Support work to reinforce the legal framework, including through deterrent measures, where necessary, and to strengthen capacity of the entire enforcement chain;

(e) Promote at all levels cross-agency cooperation to tackle the environmental, economic, social and security dimensions of the illegal trade in wildlife and their products;

(f) Initiate and promote action to further strengthen regional and international cooperation between source, transit and destination countries, including through additional support to wildlife law enforcement networks;

(g) Promote and implement policies of zero tolerance towards all illegal activities including corruption associated with the illegal trade in wildlife;

(h) Support the development of sustainable and alternative livelihoods for communities affected by the illegal trade in wildlife and its adverse impacts with the full engagement of the communities in and adjacent to wildlife habitats as active partners in conservation and sustainable use, enhancing communities rights and capacity to manage and benefit from wildlife and wilderness;

(i) Enhance cooperation for the timely and cost-efficient repatriation of live illegally traded wildlife, including eggs as called for by the Convention on International Trade in Endangered Species of Wild Fauna and Flora;[1]

3. *Urges* parties to effectively implement their obligations under Convention on International Trade in Endangered Species of Wild Fauna and Flora as well as other relevant multilateral agreements, acknowledging that the International Consortium to Combat Wildlife Crime, which includes the United Nations Office on Drugs and Crime, the Convention secretariat, Interpol, the World Customs Organization and the World Bank, and other relevant international organizations, can provide valuable assistance in that regard;

4. *Urges* all those engaged in efforts to combat illegal trade in wildlife to promote synergies, cooperation and coordination and avoid duplication;

5. *Calls upon* the General Assembly to consider the issue of illegal wildlife trade in its sixty-ninth session;

6. *Stresses*, in the light of the negative impact of wildlife trafficking on sustainable development, the importance of addressing the issue in the context of the post-2015 development framework;

7. *Underlines* the importance of keeping the issue of illegal trade in wildlife and wildlife products on the international agenda;

8. *Urges* all countries, within their capabilities, to assign and mobilize resources to combat illegal trade in wildlife in accordance with their national policies, priorities, plans and programmes. Such resources may include domestic funding through relevant policies, development strategies and national budgets, and bilateral and multilateral funding, as well as private sector involvement; donors and others in a position to do so are encouraged, on an urgent basis, to mobilize and provide financial resources and provide assistance to support the efforts of developing countries to address illegal trade in wildlife, especially to create and strengthen national capacities;

9. *Calls upon* all countries to actively engage in, and/or support, on-the-ground based activities on the part of International Consortium to Combat Wildlife Crime members to strengthen the capacity and effectiveness of local enforcers and improve national and international cooperation;

10. *Requests* the Executive Director of the United Nations Environment Programme:

(a) To provide by the second session of the United Nations Environment Assembly an analysis of the environmental impacts of illegal trade in wildlife and wildlife products;

(b) To continue and to reinforce the relevant activities of the United Nations Environment Programme in collaboration with member States and other relevant international, regional and national actors, to raise awareness about the problems and the risks associated with the supply of, transit in and demand for illegal wildlife products;

(c) To work closely with the International Consortium to Combat Wildlife Crime, the United Nations Development Programme and the Secretary-General's Rule of Law Group, notably with regard to core areas of United Nations Environment Programme expertise, such as environmental aspects of the rule of law, judicial training and information exchange about judicial decisions and practices;

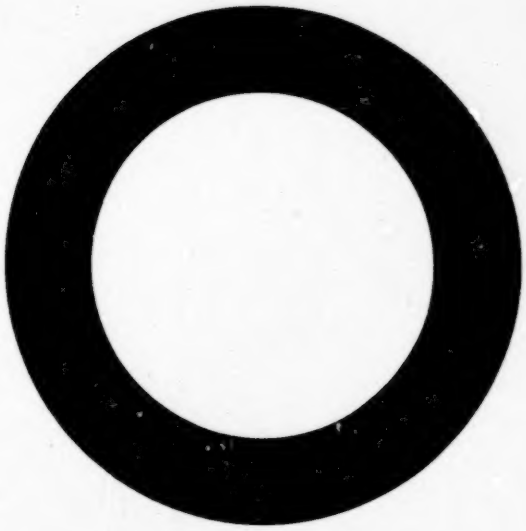
(e) To continue to support national Governments, upon their request, to develop and implement the environmental rule of law, and in that context to continue its efforts to fight the illegal wildlife trade and to continue to promote actions including through capacity-building;

[1] Article VIII, para 4 (b), Res conf 10.7 (revised by COP 15).

(f) To take a proactive role in United Nations Environment Programme administration of the African Elephant Fund to ensure its contribution to the implementation of the African Elephant Action Plan;

(g) To report on the implementation of the activities listed in paragraphs 10 (a)–(g) to be discussed at the second session of the United Nations Environment Assembly;

11. *Decides* to remain seized of the matter.



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Chemicals and wastes

Draft resolution submitted by the Committee of the Whole

The United Nations Environment Assembly,

Recalling the Johannesburg Plan of Implementation of the World Summit on Sustainable Development, internationally agreed goals, including environmental goals and objectives, the Millennium Development Goals, and the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", in particular the aim to achieve, by 2020, the sound management of chemicals throughout their life cycle and of hazardous waste in ways that lead to minimization of significant adverse effects on human health and the environment,

Considering that the sound management of chemicals and waste contributes significantly to the three dimensions of sustainable development,

Recalling the chapter VIII of the consultative process on financing options for chemicals and wastes in Decision 27/12 of the Governing Council/GMEF and that sustainable and adequate long-term funding is a key element for the sound management of chemicals and waste as expressed in paragraph 223 of "The future we want" as endorsed by the UNGA Resolution 66/288,

Welcoming the first joint meeting of the ordinary Conferences of the Parties to the Basel, Rotterdam and Stockholm conventions held in 2013 in Geneva,

Recalling decision 27/12 of the Governing Council/Global Ministerial Environment Forum, and having considered the progress report of the Executive Director on its implementation,

I. Continued strengthening of the sound management of chemicals and waste in the long term

1. *Recognizes* the continued relevance of the sound management of chemicals and wastes beyond 2020;

2. *Welcomes* the report of the Executive Director on the consultative process on enhancing cooperation and coordination within the chemicals and waste cluster, and the outcome document of the process, entitled "Strengthening the sound management of chemicals and wastes in the long term", annexed to the present resolution;

3. *Requests* the Executive Director to forward, for information regarding policies and actions, the outcome document, referred to in paragraph 2, to:

(a) The High-level Political Forum on sustainable development; the Open Working Group on Sustainable Development Goals;

(b) The sixth session of the Intergovernmental Negotiating Committee of the Minamata Convention on Mercury;

(c) The Open-ended Working Group of the Strategic Approach to International Chemicals Management and the fourth meeting of the International Conference on Chemicals Management;

(d) The conferences of the parties to the Basel, Rotterdam and Stockholm conventions;

(e) The Inter-Organization Coordinating Committee of the Inter-organization Programme for the Sound Management of Chemicals;

4. *Emphasizes* the importance of complying with existing international chemicals and waste related commitments through appropriate implementation at the national, regional and international levels;

II. Integrated approach to financing sound management of chemicals and waste

5. *Welcomes* an integrated approach to address the financing of the sound management of chemicals and wastes, and underscores that the three components of an integrated approach: mainstreaming, industry involvement and dedicated external finance are mutually reinforcing and are all important for the financing of the sound management of chemicals and waste at all levels;

6. *Also welcomes* the revision of the Instrument made by the GEF Assembly so as to include a focal area on chemicals and waste, and the increase of resources allocated to chemicals and waste by the 6th replenishment;

7. *Adopts* the terms of reference for a Special Programme, annexed to this decision, to be funded by voluntary contributions, to support institutional strengthening at the national level to enhance implementation of the Basel, Rotterdam, and Stockholm conventions, the Minamata Convention on Mercury, and the Strategic Approach to International Chemicals Management;

8. *Requests* the Executive Director, consistent with the terms of reference for the Special Programme, to establish and administer the Special Programme trust fund and to provide a secretariat to deliver administrative support to the Programme;

9. *Also requests* the Executive Board, in light of the experiences from the Special Programme and the lessons learned from recipient countries, to review the effectiveness of the Operational Arrangements for the Special Programme set out in its Terms of Reference, provide a report on the review to the United Nations Environment Assembly of the United Nations Environment Programme in 2018 for its consideration and for it to undertake adjustments, if necessary, to the Operational Arrangements for the Special Programme as set out in its Terms of Reference;

10. *Further requests* the Executive Director to submit for information the terms of reference for the Special Programme to the conferences of the parties of the Basel, Rotterdam and Stockholm conventions, the Intergovernmental Negotiating Committee of the Minamata Convention on Mercury and the Open-ended Working Group of the Strategic Approach to International Chemicals Management;

11. *Encourages* Governments in a position to do so, as well as the private sector, including industry, foundations, other non-governmental organizations and other stakeholders to mobilize financial resources for the effective establishment and quick start implementation of the Special Programme;

III. Sustainable development

12. *Emphasizes* that sound management of chemicals and waste is an essential and integral cross-cutting element of sustainable development and is of great relevance to the sustainable development agenda;

IV. Mercury

13. *Welcomes* the adoption of the Minamata Convention on Mercury at the Conference of the Plenipotentiaries in Kumamoto, Japan, on 10 October 2013;

14. *Requests* the Executive Director to facilitate cooperation, as appropriate, between the interim secretariat of the Minamata Convention, the secretariats of the Basel, Rotterdam and Stockholm conventions and others, to make full use of relevant experience and expertise that may assist countries in joining the Convention. subject to the availability of resources for this purpose;

15. *Notes* with appreciation the decision of the Conferences of the Parties of the Basel, Rotterdam and Stockholm conventions to express interest and signal their readiness to cooperate and coordinate with the Minamata Convention, and the reciprocal resolution of the Conference of Plenipotentiaries on the Minamata Convention on Mercury;

V. Strategic Approach to International Chemicals Management

16. *Welcomes* the important contribution of the Strategic Approach to International Chemicals Management in facilitating action by all relevant stakeholders towards the sound management of chemicals and waste;

17. *Emphasizes* the need for continued and strengthened multisectoral and multi-stakeholder involvement;

18. *Emphasizes* also the need for the continued strengthening of SAICM;

19. *Invites* the Open-ended Working Group of the Strategic Approach and the International Conference on Chemicals Management at its fourth meeting to consider ways to improve the involvement and participation of all relevant stakeholders and thereby also enable efficient and effective responses to new and emerging issues and challenges;

20. *Recalls* the lead role of UNEP in arranging for an effective and efficient SAICM secretariat and *requests* the Executive Director to continue to support the Strategic Approach, including in the development of orientation and guidance to implement the 2020 goal;

21. *Invites* the Director General of the World Health Organization to assume a leading role in the Strategic Approach to International Chemicals Management and provide appropriate staff and other resources to its secretariat, and requests the Executive Director to forward this invitation to the next meeting of the Executive Board of the World Health Organization;

22. *Invites* members of the Inter-organization Programme for the Sound Management of Chemicals to consider ways to support the strategic approach secretariat, including possible staffing support.

23. *Calls on* Governments, intergovernmental organizations, industry, civil society and other Strategic Approach stakeholders to support the implementation and further development of the Strategic Approach;

24. *Urges* Governments, intergovernmental organizations, non-governmental organizations, industry and others in a position to do so to make financial and in-kind contributions to the Strategic Approach, its secretariat and its implementation, including through the programme of work of the members of the Inter-Organization Programme for the Sound Management of Chemicals;

VI. Lead and cadmium

25. *Recognizes* the significant risks to human health and the environment arising from the releases of lead and cadmium into the environment;

26. *Welcomes* the upcoming third meeting of the Global Alliance to Eliminate Lead Paint and the associated workshop focusing on the development of national legislation to phase-out lead in paint, and requests the United Nations Environment Programme, in coordination with the World Health Organization, to continue to build capacity on lead paint through possible regional workshops;

27. *Looks forward to* the compilation of information on techniques for emission abatement and on the possibility of replacing lead and cadmium with less hazardous substances or techniques;

VII. Waste

28. *Requests* the Executive Director to consider the interlinkages between chemicals and waste policies in the global outlook on waste prevention, minimisation and management which is currently being developed;

VIII. Regional centres: mainstreaming and coordinated delivery

29. *Acknowledges* the role of the regional centres of the Basel and Stockholm conventions to support implementation of these conventions and all relevant activities as well as the role that they play in contributing to other chemicals and waste related instruments and in mainstreaming the sound management of chemicals and waste;

30. *Invites* parties to these conventions and other stakeholders, including parties to the Minamata Convention and Strategic Approach stakeholders, to consider ways to promote an effective and efficient network of regional centres to strengthen the regional delivery of technical assistance under these conventions to promote the sound management of chemicals and waste, sustainable development and the protection of human health and the environment;

31. *Requests* the Executive Director and invites the parties to the Basel, Rotterdam and Stockholm conventions, the Global Environment Facility and other relevant international financial institutions, instruments and programmes, to consider opportunities for effective and efficient cooperation with the regional centres in implementing regional sound management of chemicals and waste projects;

IX.

32. Requests the Executive Director to present a report on progress on the implementation of the present resolution to the United Nations Environment Assembly of the United Nations Environment Programme at its second session.

Annex A

Strengthening the sound management of chemicals and wastes in the long term[1]

A. Introduction

1. Chemicals are inextricably linked to our lives; they are used or produced in almost every industry and social sector, including health, energy, transport, agriculture, construction, textile, mining and consumer products. Chemicals contribute significantly to the well-being of society and are essential for sustainable development and for meeting the challenges of the future. However, they can pose a threat to human health, the environment and sustainable development if not managed in a sound manner throughout their life cycle, including at the waste stage.

2. The global production and use of and trade in chemicals, in addition to the generation of and trade in wastes, are increasing, with growth patterns placing an increasing burden on developing countries and countries with economies in transition, in particular the least developed countries and small island developing States, and presenting them with special difficulties in meeting this challenge.

3. The need to continue to take concerted action for the sound management of chemicals and wastes is accentuated by a lack of management capacity in developing countries and countries with economies in transition, dependency on pesticides in agriculture, exposure of workers and communities to harmful chemicals and wastes and concern about the long-term effects of chemicals and wastes on both human health and the environment and, therefore, sustainable development. The significant burden of disease attributable to exposure to hazardous chemicals and wastes is a cause for concern. The poorest populations and vulnerable groups are often the most affected.

4. In Johannesburg, South Africa, in 2002, Governments agreed to aim to achieve that, by 2020, chemicals are used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment. That goal was adopted by multiple stakeholders at the first session of the International Conference on Chemicals Management. The 2020 target was further recognized in the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", and was extended to cover hazardous wastes. Strengthened sound management of chemicals and wastes in the long term is an essential cross-cutting issue for sustainable development because there are benefits for the environment, health, poverty eradication, the economy and societies in general.

5. At the United Nations Conference on Sustainable Development, Governments commended the increased coordination and cooperation among the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants and encouraged continued coordination and cooperation among them.

6. Dedicated resources for the sound management of chemicals and wastes have expanded, including through the Global Environment Facility focal area on chemicals and wastes, which now has a wider scope, but further resources are needed to respond to the multiple challenges.

B. Vision

7. To achieve the sound management of chemicals throughout their life cycle and of hazardous wastes in ways that lead to the prevention or minimization of significant adverse effects on human health and the environment, as an essential contribution to the three dimensions of sustainable development.

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[1] The present document is the outcome of the country-led consultative process on the challenges to and options for further enhancing cooperation and coordination within the chemicals and wastes cluster in the long term, as set out in decision 26/12 of the Governing Council of the United Nations Environment Programme (UNEP). The document is being submitted to the Executive Director of UNEP on 27 February 2014 for inclusion in his report to the United Nations Environment Assembly in June 2014. The document provides a summary of some of the views expressed by participants during the process. The views are neither negotiated nor agreed, nor intended to preempt or prejudge decisions in other processes in the chemicals and wastes cluster.

C. Long-term policy elements

1. Fundamental elements for achieving the vision

8. The strengthened sound management of chemicals and wastes in the long term is essential for sustainable development and should be embedded in the sustainable development agenda.

9. The sound management of chemicals and wastes should be mainstreamed into local, national, regional and international policies and strategies, including sectoral, financial, legal and capacity-building policies, as well as international financing mechanisms and institutions.

10. There is a need to increase the political priority and commitment to the sound management of chemicals and wastes at the local, national, regional and global levels, recognizing that a number of processes present opportunities to draw attention to these important issues, including those relating to the sustainable development goals and the Strategic Approach to International Chemicals Management.

11. Achievement of the vision involves an effective, efficient, coherent and coordinated response to challenges in the sound management of chemicals and wastes at the national, regional and global levels.

12. The need to prevent or minimize the significant adverse effects from chemicals and hazardous wastes on human health and the environment will continue to provide a strong basis for sound chemicals and waste management beyond 2020 and could be accompanied by supplementary targets and indicators, within a defined time frame.

13. The sound management of chemicals and wastes is the shared responsibility of all stakeholders, including Governments, industry and others.

2. Basic elements to be addressed

14. A fundamental element for the sound management of chemicals and wastes is the need to develop, implement and enforce basic national legislative and policy frameworks, including designating the responsibilities of industry and the wider business community, and to have the necessary national institutional capacity.

15. Industry has a special responsibility, as designer, producer and user of chemicals and products, and should apply sustainable chemistry, recognizing the ongoing efforts being undertaken in this regard.

16. The effective and efficient implementation of existing chemicals and waste-related obligations under multilateral environmental agreements and actions to implement voluntary frameworks, building on experiences and successes, is essential.

17. Improved access to and generation and sharing of relevant data and understandable information throughout the supply chain are necessary for more informed decision-making and political and public awareness.

18. The sound management of chemicals and wastes includes promoting sustainable production and consumption patterns, including applying a life-cycle approach, and the consideration of waste as a resource.

19. New and emerging issues and challenges of global concern should be identified scientifically through an efficient, multi-stakeholder and inclusive process and should be adequately and effectively addressed. Responding to those issues and challenges requires sufficient capacity at the national, regional and global levels.

3. Reinforcing measures

20. In identifying options to enhance the management of chemicals and wastes in the long term, there is a need to first take stock and evaluate progress in achieving the 2020 goal, taking into account the relevant evaluations in the chemicals and wastes cluster.

21. The sound management of chemicals and wastes should respond specifically to the needs and challenges of developing countries and countries with economies in transition.

22. The multidimensional aspects of the sound management of chemicals and wastes provide an opportunity for enhanced cooperation and coordination at the national, regional and global levels, acknowledging the work undertaken to enhance synergies among the Basel, Rotterdam and Stockholm conventions.

23. Efforts to promote the sound management of chemicals and wastes will require collaborative multisectoral participation, in particular by broadening the participation of sectors that have not traditionally been involved. Such collaboration should address the strong interlinkages with sectors such as health, education, labour, mining, the environment, agriculture, water and industry.

24. The sound management of chemicals and wastes also requires multi-stakeholder involvement, including from industry and civil society, as well as the research and scientific community.

25. At the global and regional levels, the sound management of chemicals and wastes would benefit from enhanced cooperation and coordination among the organizations participating in the Inter-Organization Programme for the Sound Management of Chemicals[2] and other relevant intergovernmental organizations, inter alia, the United Nations Human Settlements Programme, and with conventions within and outside the chemicals and wastes cluster.

26. At the national level, the effective sound management of chemicals and wastes requires cooperation among all relevant ministries, such as between agriculture and environment ministries with regard to pesticide regulations.

27. Future efforts to manage chemicals and wastes throughout their life cycle will depend on and benefit from enhanced scientific and technical cooperation and knowledge, building on, inter alia, the *Global Chemicals Outlook* report and its recommendations, the future global waste management outlook report and other relevant sources of information. Furthermore, existing and future scientific data could foster consideration of common objectives for the protection of health and the environment as a basis for future policies.

28. Solutions to minimize the adverse effects of chemicals and wastes have been achieved through existing practices involving the sound management of chemicals and wastes in several countries, which have the potential to be replicated, including by building the capacity of countries to implement those solutions.

29. An integrated approach to financing the sound management of chemicals and wastes, including through mainstreaming in national budgets and development assistance plans, industry involvement and dedicated external financing, is crucial to mobilizing financial resources in the long term.

30. Sustainable, predictable, adequate and accessible long-term funding at all levels, in addition to timely and appropriate technical assistance for activities in support of the sound management of chemicals and wastes, is a key element, in particular in developing countries and countries with economies in transition.

31. Further efforts to elaborate the long-term vision, especially in relation to waste, should be based on full multi-stakeholder involvement, awareness-raising for the public and political leaders and progress in achieving the 2020 goal.

[2] Food and Agriculture Organization of the United Nations, International Labour Organization, Organisation for Economic Cooperation and Development, United Nations Development Programme, UNEP, United Nations Industrial Development Organization, United Nations Institute for Training and Research, World Bank and World Health Organization.

Annex B

Terms of reference for the special programme to support institutional strengthening at the national level for implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals Management

Recalling decision 27/12 on chemicals and waste management, part VIII, paragraphs 13 and 14 of the First Universal Session of the Governing Council/Global Ministerial Environment Forum of the United Nations Environment Programme (UNEP):

I. Objective of the Special Programme

1. The objective of the Special Programme is to support country-driven institutional strengthening at the national level, in the context of an integrated approach to address the financing of the sound management of chemicals and wastes, taking into account the national development strategies, plans and priorities of each country, to increase sustainable public institutional capacity for the sound management of chemicals and wastes throughout their life cycle. Institutional strengthening under the Special Programme will facilitate and enable the implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals Management (hereinafter referred to as "the Instruments").

II. Definition of institutional strengthening

2. For the purposes of the Special Programme, institutional strengthening is defined as enhancing the sustainable institutional capacity of Governments to develop, adopt, monitor and enforce policy, legislation and regulation, as well as to gain access to financial and other resources for effective frameworks for the implementation of the Instruments for the sound management of chemicals and wastes throughout their life cycle.

III. Expected outcomes of institutional strengthening through the Special Programme

3. It is expected that strengthened national institutions would have the capacity to do the following:

(a) Develop and monitor the implementation of national policies, strategies, programmes and legislation for the sound management of chemicals and wastes;

(b) Promote the adoption, monitoring and enforcement of legislation and regulatory frameworks for the sound management of chemicals and wastes;

(c) Promote the mainstreaming of sound management of chemicals and wastes into national development plans, national budgets, policies, legislation and implementation frameworks at all levels, including addressing gaps and avoiding duplication;

(d) Work in a multisectoral, effective, efficient, transparent, accountable and sustainable manner in the long term;

(e) Facilitate multisectoral and multi-stakeholder cooperation and coordination at the national level;

(f) Promote private sector responsibility, accountability and involvement;

(g) Promote the effective implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach;

(h) Promote cooperative and coordinated implementation of the Instruments at the national level.

IV. Scope of the Special Programme

4. The Special Programme should avoid duplication and proliferation of funding mechanisms and associated administration, and should fund activities that fall outside the mandate of the Global Environment Facility.

5. The activities funded under the Special Programme may encompass the following:

(a) Identifying national institutional capacity, weaknesses, gaps and needs, as well as strengthening the institutional capacity to do so, where required;

(b) Strengthening institutional capacity to plan, develop, undertake, monitor and coordinate the implementation of policies, strategies and national programmes for the sound management of chemicals and wastes;

(c) Strengthening institutional capacity to improve progress reporting and performance evaluation capabilities;

(d) Promoting an enabling environment to foster the ratification of the Basel, Rotterdam and Stockholm conventions and the Minamata Convention;

(e) Enabling the design and operation of institutional structures dedicated to the promotion of the sound management of chemicals and wastes throughout their life cycle;

(f) Strengthening institutional capacity to promote measures to support all aspects of the sound management of chemicals and wastes, including more specific nationally identified thematic areas covered by the Instruments.

V. Eligibility for support from the Special Programme

6. Support from the Special Programme will be available for developing countries, taking into account the special needs of least developed countries and small island developing States, and for countries with economies in transition, with priority given to those with least capacity.

7. Applicants will be eligible if they are party to any one of the relevant conventions or have demonstrated that they are in the process of preparing for ratification of any one of the conventions.

8. Applications will include identification of the associated domestic measures to be taken to ensure that the national institutional capacity supported by the Special Programme is sustainable in the long term.

VI. Governance arrangements for the Special Programme

9. An Executive Board will be the decision-making body and oversee the Special Programme with the support of a secretariat.

10. The Executive Board will reflect a balance between donors and recipients. The term of the representatives will be in a two-year rotation. The Executive Board will be composed of the following:

(a) Four representatives of recipient countries, reflecting equitable, geographical representation, drawn from the following United Nations regions: Africa, Asia-Pacific, Central and Eastern Europe, and Latin America and the Caribbean. In addition, the Executive Board will have one representative from a least developed country or a small island developing State on a rotational basis.

(b) Five donor representatives, which are not also recipient countries.

11. The executive secretaries of the Secretariat of the Basel, Rotterdam and Stockholm conventions and the Minamata Convention, the Coordinator of the Strategic Approach and a representative of the secretariat of the Global Environment Facility, as well as representatives of Governments and regional economic integration organizations, any implementing agencies and one representative from each of the Bureaus of the governing bodies of the Instruments may participate, at their own expense, as observers at the meetings of the Executive Board.

VII. Mandate and functions of the Executive Board

12. The Executive Board will have two co-chairs, one from recipient countries and one from donor countries.

13. The Executive Board will meet yearly and take its decisions by consensus wherever possible. If consensus cannot be reached, the Executive Board will, as a last resort, take its decisions by a two-thirds majority of its members present and voting. The Executive Board will, as required, further develop its rules of procedure at its first meeting.

14. The Executive Board will take operational decisions regarding the functioning of the Special Programme, including the approval of applications for funding, and will endorse procedures for application, assessment, reporting and evaluation. The Executive Board will provide operational guidance on the implementation of the Special Programme and will provide advice on other matters as required.

VIII. Administering organization

15. As the administering organization, UNEP will provide a Special Programme trust fund and a secretariat to deliver administrative support to the Programme, including the allocation of human and other resources.

16. The secretariat will process application proposals for approval by the Executive Board, manage approved allocations and service the Executive Board. The Secretariat will report on its operations to the Executive Board and will be accountable to the Executive Director of UNEP for administrative and financial matters. The secretariat will submit an annual report to the Executive Board, which will also be sent to the governing bodies of UNEP and of the Instruments for their consideration.

IX. Operational arrangements for the Special Programme

17. The Special Programme will receive applications directly from national Governments. It will be easily accessible, simple and effective, and draw on experience from existing support mechanisms as appropriate.

18. Applications should be outlined within the context of an overall country approach to strengthening institutional capacity. The applications should contain proposed measures and performance targets, and information relating to long-term sustainability.

19. Applications should be submitted to the secretariat. The secretariat will appraise applications for consideration and decision by the Executive Board.

20. Cumulative allocations to a country should be decided by the Executive Board, based on the contributions received and the needs expressed in the applications submitted. Of that total, an amount not exceeding 13 per cent may be retained for administrative purposes.

21. Beneficiary countries will contribute resources equal to the value of at least 25 per cent of the total allocation.The Executive Board may reduce that percentage, commensurate with a consideration of the specific national circumstances, capacity constraints, gaps and needs of the applicant.

22. Beneficiary countries shall submit annual reports on progress achieved. A final report and financial audit shall be submitted upon completion of each project, which shall include a full accounting of funds used and an evaluation of outcomes, as well as evidence as to whether the performance targets have been met.

X. Contributions

23. Contributions will be encouraged from all signatories and parties to the conventions and other Governments with the capacity to do so, as well as from the private sector, including industry, foundations, other non-governmental organizations and other stakeholders.

XI. Duration of the Special Programme

24. The Special Programme will be open to receive voluntary contributions and applications for support for seven years from the date it is established. On the basis of a satisfactory review and evaluation, and subject to a recommendation from the Executive Board to the United Nations Environment Assembly, the Special Programme may be eligible for a one-time extension, not to

exceed an additional five years. Special Programme funds may be disbursed for a maximum of 10 years from the date the Programme is established, or eight years from the date it is extended, if applicable, at which point the Programme will complete its operations and close. The terms of reference of the above-mentioned review and evaluation are to be decided by the Executive Board.

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Nairobi, 23–27 June 2014

Management of trust funds and earmarked contributions

Draft resolution submitted by the Committee of the Whole

The United Nations Environment Assembly,

Having considered the requests for UNEP to carry out the functions of Secretariats for other bodies and the report of the Executive Director on the management of trust funds,

Noting the Decision entitled "Location and Arrangements for the Secretariat of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea (Tehran Convention)" adopted at the 5th Conference of the Parties to the Tehran Convention held in Ashgabat, Turkmenistan during 28-30 May 2014;

Noting decision 1/6 of the First Conference of the Parties to the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa that requested the Executive Director to carry out the functions of the Secretariat;

Noting the Batumi Outcome approved by the 6th Biodiversity in Europe Conference establishing the Pan-European Biodiversity Platform and the request of Member States of the Platform for UNEP to provide the secretariat of the Platform;

Noting Environment Assembly omnibus decision 1/6 on chemicals and waste;

I

Trust funds in support of the programme of work of the United Nations Environment Programme

1. *Welcomes* requests for UNEP to provide Secretariats to service environmental agreements related to its programme of work;

2. *Notes* that, in line the financial regulations and rules of the United Nations, agreements for which UNEP carries out the functions of the secretariat must be based on the principle of cost recovery when it comes to administrative costs;

3. *Authorizes* the Executive Director to carry out the functions of the Tehran Convention secretariat, as specified in Article 23.1 of the Tehran Convention on such mutually agreed terms as the ED and the Parties see fit and in accordance with adopted at the 5th Conference of the Parties to the Tehran Convention;

4. *Authorizes* the Executive Director to carry out Secretariat functions specified in Decision 1/6 first Conference of Parties to the Bamako Convention on such mutually agreed terms as the Executive Director and the Parties see fit and in accordance with decision 1/6 of the First Conference of the Parties to the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa;

5. *Requests* the Executive Director to provide the Secretariat of the Pan-European Biodiversity Platform on such mutually agreed terms as the Executive Director and the Members of the Platform see and in accordance with Batumi Outcome approved by the 6th Biodiversity in Europe Conference establishing the Pan-European Biodiversity Platform;

6. *Notes and approves* the establishment of the following trust funds since the twenty-seventh session of the Governing Council:

A. General trust funds

(a) PES: Trust Fund for the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), which was established in 2014 with no expiry date;

(b) PBL: Trust Fund for the Secretariat of the Pan European Biodiversity Platform

(c) BWL: Special Trust Fund for Voluntary Contributions in Support of the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa.

(d) BML: General Trust Fund for the Core Programme Budget of the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa.

(e) CML: Trust fund for the special programme in support to institutional strengthening at the national level to enhance implementation, of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention on mercury, and the Strategic Approach to International Chemicals Management.

B. Technical cooperation trust funds

(b) CLL: Trust Fund to Support the Activities of the Climate Technology Centre and Network, which was established in 2013 with an expiry date of 31 December 2017;

(c) GRL: Technical Cooperation Trust Fund for the Implementation of Greening Economies in the Eastern Neighbourhood and Central Asia (EaP-GREEN) Programme, which was established in 2013 with no expiry date;

7. *Approves* the extension of the following trust funds, subject to the Executive Director of the United Nations Environment Programme receiving requests to do so from the relevant Governments or contracting parties:

C. General trust funds

(a) AML: General Trust Fund for the African Ministerial Conference on the Environment, which is extended up to and including 31 December 2017;

(b) CWL: General Trust Fund for the African Ministers' Council on Water, which is extended up to and including 31 December 2017;

(c) MCL: General Trust Fund in Support of Activities on Mercury and its Compounds, which is extended up to and including 31 December 2017;

(d) SML: General Trust Fund for the Strategic Approach to International Chemicals Management Quick Start Programme, which is extended up to and including 31 December 2017;

(e) WPL: General Trust Fund to Provide Support to the Global Environment Monitoring System/Water Programme Office and to Promote its Activities, which is extended up to and including 31 December 2017;

D. Technical cooperation trust funds

(f) AFB: Technical Cooperation Trust Fund for UNEP Activities as Multilateral Implementing Entity of the Adaptation Fund Board, which is extended through 31 December 2017;

(g) BPL: Technical Cooperation Trust Fund for the Implementation of the Agreement with Belgium (financed by the Government of Belgium), which is extended up to and including 31 December 2017;

(h) CIL: Technical Cooperation Trust Fund to Support the Implementation of the Strategic Plan for Remediation Activities Following the Toxic Waste Incident in Abidjan, Côte d'Ivoire, which is extended up to and including 31 December 2017;

(i) GNL: Technical Cooperation Trust Fund in support of the Coordination Office of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (financed by the Government of the Netherlands), which is extended up to and including 31 December 2017;

(j) IAL: Technical Cooperation Trust Fund for Ireland Aid Multilateral Environment Fund for Africa (financed by the Government of Ireland), which is extended up to and including 31 December 2017;

(k) IPL: Technical Cooperation Trust Fund to Assist the Implementation of the Montreal Protocol on Substances that Deplete the Ozone Layer in Developing Countries (financed by the Government of Sweden), which is extended up to and including 31 December 2017;

(l) MDL: Technical Cooperation Trust Fund for UNEP Implementation of the Millennium Development Goals Achievement Fund, which is extended up to and including 31 December 2017;

(m) REL: Technical Cooperation Trust Fund for the Promotion of Renewable Energy in the Mediterranean Region (financed by the Government of Italy), which is extended up to and including 31 December 2017;

(n) SEL: Technical Cooperation Trust Fund for the Implementation of the Agreement with Sweden, which is extended up to and including 31 December 2017;

(o) SFL: Technical Cooperation Trust Fund for the Implementation of the Framework Agreement between Spain and UNEP, which is extended up to and including 31 December 2017;

(p) VML: Technical Cooperation Trust Fund to Assist Developing Countries to Take Action for the Protection of the Ozone Layer Under the Vienna Convention and Montreal Protocol (Financed by the Government of Finland), which is extended up to and including 31 December 2017;

II

Trust funds in support of regional seas programmes, conventions, protocols and special funds

8. *Notes and approves* the establishment of the following trust fund since the twenty-seventh session of the Governing Council:

(a) PCL: Trust Fund for the Framework Convention for the Protection of the Marine Environment of the Caspian Sea (Tehran Convention);[1]

[1] Additional Trust Fund included as per the comment provided by the representative of the Secretariat at the CPR Subcommittee meeting held on 10 June 2014, and an Information Note on this matter has been circulated to the members of the CPR.

(b) SMU: Trust Fund to Support the Activities of the Secretariat of the Memorandum of Understanding on the Conservation of Migratory Sharks, which was established in 2013 with an expiry date of 31 December 2015;

9. *Approves* the extension of the following trust funds subject to the Executive Director of the United Nations Environment Programme receiving requests to do so from the relevant Governments or contracting parties:

E. General trust funds

(a) BEL: General Trust Fund for Additional Voluntary Contributions in Support of Approved Activities under the Convention on Biological Diversity, which is extended up to and including 31 December 2017;

(b) BGL: General Trust Fund for the Core Programme Budget for the Biosafety Protocol, which is extended up to and including 31 December 2017;

(c) BHL: Special Voluntary Trust Fund for Additional Voluntary Contributions in Support of Approved Activities of the Biosafety Protocol, which is extended up to and including 31 December 2017;

(d) BIL: Special Voluntary Trust Fund for Voluntary Contributions to Facilitate the Participation of Parties, in particular the Least Developed and the Small Island Developing States among them, and Parties with Economies in Transition (Biosafety Protocol), which is extended up to and including 31 December 2017;

(e) BTL: General Trust Fund for the Conservation of the European Bats Agreement, which is extended up to and including 31 December 2017;

(f) BYL: General Trust Fund for the Convention on Biological Diversity, which is extended up to and including 31 December 2017;

(g) BZL: General Trust Fund for Voluntary Contributions to Facilitate the Participation of Parties in the Process of the Convention on Biological Diversity, which is extended up to and including 31 December 2017;

(h) CAP: Trust Fund for the Core Budget of the Framework Convention on the Protection and Sustainable Development of the Carpathians and related Protocols, which is extended up to and including 31 December 2017;

(i) CRL: Regional Trust Fund for the Implementation of the Action Plan for the Caribbean Environment Programme, which is extended up to and including 31 December 2017;

(j) EAL: Regional Seas Trust Fund for the Eastern African Region, which is extended up to and including 31 December 2017;

(k) ESL: Regional Seas Trust Fund for the Implementation of the Action Plan for the Protection and Development of the Marine Environment and Coastal Areas of East Asian Seas, which is extended up to and including 31 December 2017;

(l) MEL: Trust Fund for the Protection of the Mediterranean Sea against Pollution, which is extended up to and including 31 December 2017;

(m) MPL: Trust Fund for the Montreal Protocol on Substances that Deplete the Ozone Layer, which is extended up to and including 31 December 2017;

(n) MSL: Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals, which is extended up to and including 31 December 2017;

(o) MVL: General Trust Fund for Voluntary Contributions in Support of the Convention on the Conservation of Migratory Species of Wild Animals, which is extended up to and including 31 December 2017;

(p) PNL: General Trust Fund for the Protection, Management and Development of the Coastal and Marine Environment and the Resources of the Northwest Pacific Region, which is extended up to and including 31 December 2017;

(q) ROL: General Trust Fund for the Operational Budget of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, which is extended up to and including 31 December 2017;

(r) RVL: Special Trust Fund for the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, which is extended up to and including 31 December 2017;

(s) SOL: General Trust Fund for Financing Activities on Research and Systematic Observation for the Vienna Convention, which is extended up to and including 31 December 2017;

(t) SMU: Trust Fund to Support the Activities of the Secretariat of the Memorandum of Understanding on the Conservation of Migratory Sharks, which is extended up to and including 31 December 2017;

(u) VBL: Voluntary Trust Fund to Facilitate the Participation of Indigenous and Local Communities in the Work of the Convention on Biological Diversity, which is extended up to and including 31 December 2017;

(v) VCL: Trust Fund for the Vienna Convention for the Protection of the Ozone Layer, which is extended up to and including 31 December 2017;

(w) WAL: Trust Fund for the Protection and Development of the Marine Environment and Coastal Areas of West and Central African Region, which is extended up to and including 31 December 2017.

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Provisional agenda, date and venue of the second session of the United Nations Environment Assembly

Draft decision submitted by the Committee of the Whole

The United Nations Environment Assembly,

Recalling General Assembly resolutions 2997 (XXVII) of 15 December 1972, 66/288 of 27 July 2012, 67/213 of 21 December 2012, 67/251 of 13 March 2013 and 68/215 of 20 December 2013,

Recalling also General Assembly resolutions 47/202 A (paragraph 17) of 22 December 1992, 54/248 of 23 December 1999, 56/242 of 24 December 2001, 57/282 B (paragraphs 9-11 of section II) of 15 April 2003, 61/236 (paragraph 9 of section II A) of 22 December 2006, 62/225 (paragraph 9 of section II A) of 22 December 2007, 63/248 (paragraph 9 of section II A) of 24 December 2008, 64/230 (paragraph 9 of section II A) of 22 December 2009, 65/245 (paragraph 10 of section II A) of 24 December 2010 and 67/237 (paragraph 13 of section II A) of 28 January 2013,

Taking into account Governing Council decisions 27/1 and 27/2 of 22 February 2013,

Noting with appreciation the contribution by the open-ended meeting of the Committee of Permanent Representatives to the elements of the provisional agenda for the second session of the Environment Assembly and comments provided at that meeting,[1]

1. *Decides* to hold the second session of the United Nations Environment Assembly of the United Nations Environment Programme at its headquarters in Nairobi from 23 to 27 May 2016;

2. *Requests* the Committee of Permanent Representatives, in consultation with the Bureau of the Environment Assembly, to contribute to the preparation of the draft provisional agenda for the second session of the Assembly.

[1] See UNEP/CPR/127/2, sect. XI.A.

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Draft Outcome document of the first session of the United Nations Environment Assembly of the United Nations Environment Programme

The ministers of environment and heads of delegation gathered at the first session of the United Nations Environment Assembly of the United Nations Environment Programme in Nairobi, Kenya on 26 and 27 June 2014:

Recall General Assembly resolution 2997 (XXVII) of 15 December 1972 establishing the United Nations Environment Programme, the Malmö Ministerial Declaration of May 31, 2000, the 1997 Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme, declaring the United Nations Environment Programme to be the leading global environmental authority that sets the global environmental agenda, that promotes the integrated and coherent implementation of the environmental dimension of sustainable development within the United Nations system and that serves as an authoritative advocate for the global environment, as reinforced in the Nusa Dua Declaration of February 2010;

Recall also that, from the 1972 United Nations Conference on the Human Environment in Stockholm, through the 1992 United Nations Conference on Environment and Development in Rio de Janeiro, Brazil, the adoption of Agenda 21, the adoption of the Plan of Implementation of the 2002 World Summit on Sustainable Development and the 2012 United Nations Conference on Sustainable Development in Rio de Janeiro (Rio+20), we have increased our understanding of the importance of the environment in the context of sustainable development, we have strengthened our institutions and we have committed ourselves to action;

Reaffirm, therefore, our commitment to the full implementation of the Rio+20 outcome document, "The future we want", and all the principles of the Rio Declaration on Environment and Development, including, inter alia, the principle of common but differentiated responsibilities, as set out in principle 7. We also call for the implementation of section C on the Environmental pillar in the context of sustainable development and paragraph 88 on strengthening and upgrading UNEP.

Emphasize, with the foregoing in mind, the historic importance of convening the first universal session of this lead forum and decision-making body to address global environmental challenges and provide overarching policy guidance within the United Nations system, recognizing the fundamental role of the Environment Assembly in promoting the full integration and coherent implementation of the environmental dimension of sustainable development and its potential to identify opportunities and advance solutions for the global environmental agenda;

Call on the international community, and reaffirm our commitment:

- To ensure the full integration of the environmental dimension throughout the international agenda, acknowledging that a healthy environment is an essential requirement and key enabler for the sustainable development agenda;

- To achieve an ambitious, universal, implementable and realizable post-2015 development agenda that fully integrates the economic, social and environmental dimensions of sustainable development in a coherent, holistic, comprehensive and balanced manner, including comprehensive and action-oriented sustainable development goals with the aim of eradicating poverty, as well as for the protection of the environment and promotion of inclusive equitable, social and economic development in harmony with nature;

To accelerate and support efforts for the promotion of sustainable consumption and production patterns including through sustainable lifestyles and resource efficiency. We are also committed to accelerate actions, with the support of United Nations Environment Programme, to implement the 10-year framework of programmes on sustainable consumption and production patterns as a tool for action on SCP, including its section on Means of Implementation;

- To take action to prevent, combat and eradicate the illegal trade in wildlife and wildlife products which has major economic, social and environmental impacts, contributes to damage to ecosystems and rural livelihoods, undermines good governance and the rule of law and threatens national security.

- To undertake urgent actions to address climate change, a persistent crisis that affects all countries and undermines their ability, in particular developing countries, to achieve sustainable development. This requires cooperation by all countries, in accordance with the principles and provisions of the United Nations Framework Convention on Climate Change.

- To continue to work towards the adoption of an ambitious outcome in the form of a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties in 2015 in accordance with the Durban Platform for Enhanced Action;

- To ensure the full implementation of multilateral environmental agreements and other environmental international and regional commitments in an effective and coordinated manner while promoting synergies among them, acknowledging their positive contribution to sustainable development;

- To reinforce efforts to halt biodiversity loss and combat desertification, drought and land degradation, including through the implementation of existing environmental agreements, and to ensure that ecosystems are resilient and continue to provide their services;

- To foster and encourage the development of genuine and durable partnerships to address environmental challenges faced by small island developing States, in particular the priorities identified for discussion and adoption at the Third International Conference on Small Island Developing States, to be held in Samoa in September 2014;

Underline the importance of the resolutions and decisions adopted by the Environment Assembly at its first meeting (annex 1) [1] and invite the international community to join efforts, including those made by the United Nations Environment Programme, in implementing such outcomes;

Welcome the richness of the debate that took place in the margins of the first session of the Environment Assembly and the contributions of the academic community and civil society experts in various forums to our understanding of the challenges and opportunities facing us, including with regard to the rule of law on the environment, gender, youth, the role of legislators and financing a green economy. We recommend the continuation of this practice;

Commend the role of the United Nations Environment Programme in facilitating intergovernmental negotiations on multilateral environmental agreements, including the adoption of the Minamata Convention on Mercury, and highlight the important positive contribution of the sound management of chemicals and waste to sustainable development;

Acknowledge that a strengthened science-policy interface is of key importance to more efficient and effective policy-making on sustainable development at all levels and emphasize the role

[1] based on resolutions adopted at UNEA 1.

of the United Nations Environment Programme in providing coherent evidence-based knowledge and information on the state of global environment for decision makers, including in the preparation of the Post 2015 development agenda;

Call on the High Level Political Forum, the Economic and Social Council and the General Assembly, within their respective mandates, to give appropriate consideration to the present outcome document and to take its messages further with a view to achieving a balanced integration of the three dimensions of sustainable development in the work of the United Nations and its Member States.

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Draft resolution

Amendments to the rules of procedure

The United Nations Environment Assembly,

Adopts the amendments to the rules of procedure as follows:

1. Rule 2 as amended reads as follows:

1. Each regular session of the United Nations Environment Assembly shall be held, subject to the provisions of rule 3, at a date fixed by the United Nations Environment Assembly at its previous session in such a way, if practicable, as to enable the Economic and Social Council and the General Assembly to consider the report of the United Nations Environment Assembly in the same year.

2. When setting the date in a given year for the session of the United Nations Environment Assembly, the dates of meetings of other relevant bodies, including the High-level Political Forum on Sustainable Development, should be taken into account.

2. Rule 7 as amended reads as follows:

The Executive Director shall communicate the date of the first meeting of each session to all States Members of the United Nations or members of the specialized agencies or of the International Atomic Energy Agency, the Chairpersons of subsidiary organs of the United Nations Environment Assembly, as appropriate, the President of the General Assembly when the Assembly is in session, the President of the Economic and Social Council, the specialized agencies, the International Atomic Energy Agency, the appropriate United Nations bodies, the intergovernmental organizations referred to in the rule 68 below and the non-governmental organizations and other relevant stakeholders referred to in rule 69 below. Such notification shall be sent:

(a) In the case of a regular session, at least forty-two days in advance;

(b) In the case of a special session, at least fourteen days in advance of the date fixed in accordance with rule 6 above.

3. The title of Section IV: For "OFFICERS", read "UNITED NATIONS ENVIRONMENT ASSEMBLY BUREAU".

4. Rule 18, paragraph 1: For "three Vice-Presidents" read "eight Vice-Presidents".[1]

Replace paragraph 2 of rule 18 with the following paragraph:

In electing its officers, the United Nations Environment Assembly shall ensure that each of the five regions is represented by two members in the Bureau of the United Nations Environment Assembly.

5. New rule, to be inserted after rule 18 and before rule 19, as follows:

Replacement of a Bureau member

1. During the session of the United Nations Environment Assembly, if a Bureau member, except the President, is unable to permanently carry out any of her or his functions, the Assembly may elect an alternate upon appointment by a member State or by the regional group to which that member belongs.

2. During the intersessional period, if a Bureau member resigns or is unable to exercise functions, the member State or the regional group to which that member belongs, shall nominate a replacement for the remainder of the term. The Executive Director shall immediately upon receipt of the nomination inform all members of the United Nations Environment Assembly of the nomination in writing. If within one month no objections are received in writing, the nominee is elected. If a member State objects, the nominee is elected if a majority of member States responding support the nominee.

6. Rule 43 as amended reads as follows:

Proposals and amendments shall normally be introduced in writing and submitted to the Executive Director, who shall circulate copies to the members in all the official languages of the United Nations Environment Assembly. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the United Nations Environment Assembly unless copies of it have been circulated to all members not later than the day preceding the meeting. Subject to the consent of the United Nations Environment Assembly, the President may, however, permit the discussion and consideration of proposals or amendments even though these proposals or amendments have not been circulated or have only been circulated on the same day.

7. Title of Section VIII: Replace the current title with the following:

SESSIONAL OR INTERSESSIONAL COMMITTEES, WORKING PARTIES AND SUBSIDIARY ORGANS OF THE UNITED NATIONS ENVIRONMENT ASSEMBLY

8. Rule 59 as amended reads as follows:

The United Nations Environment Assembly may establish such sessional or interessional committees, working parties and subsidiary organs as may be necessary for the effective discharge of its functions.

9. Rule 64 as amended reads as follows:

[1] The United Nations Environment Assembly decided to elect eight Vice-Presidents at the first meeting of its first session, held on 23 June 2014.

1. All resolutions, declarations, recommendations and other formal decisions of the United Nations Environment Assembly, as well as its reports to the General Assembly and other documents, shall be made available in the languages of the United Nations Environment Assembly.

2. The text of the resolutions, declarations, recommendations and other formal decisions adopted by the United Nations Environment Assembly, its sessional committee and other subsidiary organs, if any, shall be distributed by the secretariat to all members of the United Nations Environment Assembly and any others participating in the session. The printed text of such resolutions, recommendations and other formal decisions, as well as the reports of the United Nations Environment Assembly to the General Assembly, shall be distributed after the close of the session to all States Members of the United Nations or members of the specialized agencies or of the International Atomic Energy Agency, and to the intergovernmental organizations referred to in rule 68 below.

10. Rule 66 as amended reads as follows:

The meetings of the United Nations Environment Assembly, its sessional committees and working parties and subsidiary organs, if any, shall be held in public unless the body concerned decides otherwise. If possible, such proceedings shall be broadcast to the wider public through electronic means.

11. Rule 68: Insert new paragraph 3 as follows:

A regional economic integration organization may participate in the deliberations of the United Nations Environment Assembly with the same modalities as those applicable to its participation in the sessions and the work of the General Assembly.

Add a footnote against the term "regional economic integration organization" which reads as follows: "That is the subject of General Assembly resolution 65/276."

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Summary of the ministerial dialogue on illegal trade in wildlife

1. The ministerial dialogue on illegal trade in wildlife was convened from 7–10.30 p.m. on 26 June 2014. During the dialogue, delegates from xxx countries, including xxx ministers and deputy ministers and xxx representatives of major groups and stakeholders, exchanged views, *inter alia*, on ways to address gaps and make progress in preventing the illegal trade in wildlife, on the role of the United Nations system and on effective measures to ensure an integrated response by the United Nations and other stakeholders to the illegal trade in wildlife.

2. The discussions were supported by an information note by the Executive Director (UNEP/EA.1/INF/19). The document provides the latest evidence on the scope and scale of the illegal trade in wildlife, including timber. The note outlines the global nature and scope of the challenge of the illegal trade in wildlife and its environmental, social and economic consequences. It also highlights the evidence that links the illegal trade in wildlife to threat finance and organized crime, providing a significant contribution to better-informed policy responses. Although the issue has been highlighted at a number of high-level sessions and conferences, on-the-ground implementation has failed to develop. A concept note containing guiding questions for the ministers and other participants was also made available.

3. During the discussion, ministers and other delegates provided their views on the challenges of illegal wildlife trade and its consequences for the environmental, social and economic aspects of sustainable development, which they observed were exacerbating the impact of other global crises. It is estimated that resources worth between $48 billion and $153 billion are lost through illegal trade of wildlife, including timber and fisheries, globally each year.

4. Governments and the international community have recently directed substantial attention to addressing threats posed by the increased involvement of transnational organized criminal networks in the illegal trade of wildlife, and ministers said that those challenges could only be effectively tackled through the unified efforts of the international community to support national efforts.

5. The discussions were guided by a concept note made available to delegates, which considered three broad areas of discussion that were taken up during the ministerial dialogue: national and international action; coherent and coordinated response from the United Nations system; and maintaining momentum – the road from the first session of the Environment Assembly.

6. In relation to national and international action, delegates highlighted the following issues during the dialogue:

(a) There is a need to establish appropriate and strengthened legal frameworks and incentives that will facilitate the implementation of multilateral environmental agreements and other international commitments. Such efforts will benefit from strong leadership by Governments in

developing coordinated domestic strategies;

(b) Due to the multi-dimensional nature of the illegal wildlife trade, including links to peace, security, development and the fight against international organized crime, it can only be effectively tackled through the unified efforts of the international community, national Governments, police, law enforcement agencies and civil society;

(c) There is a need to address gaps in knowledge in relation to the impacts of illegal wildlife trade and on its links to other forms of crime, on monitoring systems and research and the effectiveness of responses. Many delegations suggested that reviews of legislation should be continual and that further analysis was required to give broad understanding of the dynamics behind demand. It was also recognized that the private sector could play a critical role in intelligence information gathering, such as the role of the banking system in tracking financial flows;

(d) A number of examples of South-South and North-South cooperation were provided during the dialogue, highlighting the importance of building the human and institutional capacity of developing countries to strengthen environmental legislation, compliance and awareness and to fill the knowledge gaps on environmental jurisprudence;

(e) It was recognized that support from the international and bilateral donor community would be essential to facilitate national efforts and to encourage information sharing, forensic cooperation and zero tolerance on corruption and money-laundering practices;

(f) Many delegations stressed that consumer demand remained the most important driver of the illegal trade in wildlife, although they also recognized that poverty and corruption were also important drivers. It was recognized that considerable efforts were required to reach out in source, transit and consumer States to raise awareness of the scope and consequences of illegal trade in wildlife. It was suggested that civil society and the private sector could take an active part in developing and providing targeted information to raise public awareness and to educate the next generation on the adverse impacts of illegal wildlife trade;

(g) The need to engage with local communities and develop alternative livelihoods was stressed by many delegations, and it was said that in many instances such efforts would require significant additional investment and further incentives if they were to be effectively scaled up;

(h) The need for domestic, bilateral and regional coordination to tackle illegal timber trade was stressed by many speakers, as well as the need for coherence in legislation and the treatment of wildlife offenses as serious crimes. In that regard, resolution 23/1, adopted in May 2014 by the United Nations Commission on Crime Prevention and Criminal Justice, on strengthening a targeted crime prevention and criminal justice response to combat illicit trafficking in forest products, including timber, was welcomed.

7. In relation to a coherent and coordinated response from the United Nations system, delegates highlighted the following issues:

(a) Many speakers said that, as a facet of strengthening the United Nations system's support for national Governments, there was a need to recognize the transboundary and global nature of the challenges and impacts of the illegal wildlife trade and to foster cross-border cooperation between source, transit and destination countries, including through additional support to wildlife law enforcement networks;

(b) Many speakers said that there was a need to strengthen the United Nations system-wide response, including through strengthening existing cooperation mechanisms such as the Environment Management Group and the Chief Executives Board for Coordination, as well as through individual programmes of the United Nations, to improve collaboration among agencies, avoid duplication and support holistic national approaches to tackling the challenges of illegal wildlife trade;

(c) It was stressed that the United Nations system should provide additional support for national efforts to implement existing international commitments, including those under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), to assist Member States in further identifying, developing and implementing the most appropriate responses to the illegal trade in wildlife;

(d) It was recognized that capacity-building and other support could be provided by the United Nations system, including the United Nations Environment Programme (UNEP), to equip countries with tools to ensure improved environmental compliance and law enforcement and to promote support in the development and implementation of the environmental rule of law.

(e) There was wide recognition of the importance of promoting synergies and avoiding duplication among the members of the United Nations system and with other partners, and in that regard there was encouragement for strong collaboration between UNEP , the United Nations Development Programme and the International Consortium on Combating Wildlife Crime in, among other areas, supporting capacity-building, awareness-raising among members of the judiciary, the public and law enforcement officers and systematic information sharing.

8. In relation to maintaining momentum – the road from the first session of the Environment Assembly, delegates highlighted the following issues:

(a) Many speakers welcomed the recognition of the importance of maintaining political momentum on the issue of illegal wildlife trade, including through the recent convening of high-level conferences such as those in Gaborone and Paris in December 2013 and London in February 2014 and the announced African Union summit to be convened in Brazzaville in October 2014, the consideration of the issue at the meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals in Quito in November 2014 and the World Parks Congress in Australia in November 2014, and the announcement by Botswana of a follow-up conference to the Gabarone and London events, to be held in March 2015. The meaningful actions that followed such conferences, such as the establishment of the UK Challenge Fund, the launch of the biodiversity for life initiative of the European Union and other commitments, were also enthusiastically welcomed;

(b) There was broad support for a strong resolution by the Environment Assembly addressing illegal trade in wildlife, as a sign of joint commitment to maintaining international momentum, and for having the topic on the agenda on the next session of the Environment Assembly;

(c) Many delegations said that there was a need to ensure the implementation of commitments already made and to ensure that progress was made on the front lines to address illegal trade in wildlife, but it was also said that the opportunity should be seized to address illegal wildlife trade at the General Assembly, through a resolution being developed by the Group of Friends in New York. Some delegations suggested that a United Nations special envoy might be helpful to enhance mobilization across the United Nations system;

(d) There was also widespread support for ensuring that the issue of illegal wildlife trade was taken forward as a part of the post-2015 development agenda.

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Policy on stakeholder engagement in the United Nations Environment Programme

(Working draft as at 19 June 2014)

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Policy on stakeholder engagement in the United Nations Environment Programme

(Working draft as at 19 June 2014)

Note

This policy was prepared by the secretariat of the United Nations Environment Programme (UNEP) pursuant to Governing Council decision 27/2 on the implementation of paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development, adopted by the Governing Council of UNEP at its first universal session, held in Nairobi from 18 to 22 February 2013. That decision called for the active participation of all relevant stakeholders, particularly those from developing countries, to be ensured, drawing on best practices and models from relevant multilateral institutions, and for new mechanisms to be explored to promote transparency and the effective engagement of civil society in the work of the governing body of the United Nations Environment Programme and that of its subsidiary organs, building on best practices in multilateral organizations.*

This policy therefore sets forth the proposed new mechanisms for the promotion of transparency and the effective engagement of civil society with the Assembly and its subsidiary organs, to be submitted to the Assembly at its first session, to be held in Nairobi from 23 to 27 June 2014.

* This policy builds on best practices of stakeholder engagement in multilateral organizations. The secretariat of UNEP prepared a *Review of Current Practices of Stakeholder Engagement in Multilateral Organizations*, released in July 2013, as called for by Governing Council decision 27/2 (http://www.unep.org/civil-society/Portals/24105/documents/resources/stakeholder_engagement/Review_of_current_practices_of_stakeholder_engagement_in_multilateral_organisations_30July_2013.pdf).

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1. Background

1. The participation of stakeholders in the work of the United Nations Environment Programme (UNEP) is rooted in Principle 10 of the Rio Declaration on Environment and Development and in paragraph 88 (h) of the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", which calls for "the active participation of all relevant stakeholders, drawing on best practices and models from relevant multilateral institutions and exploring new mechanisms to promote transparency and the effective engagement of civil society" within the framework of its decision on strengthening the role of the United Nations Environment Programme as the leading global environmental authority.[1]

2. Paragraph 7 of decision 27/2 of the UNEP Governing Council on the implementation of paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development, adopted by the Governing Council at its first universal session in February 2013, mandates the governing body to ensure the active participation of all relevant stakeholders, particularly those from developing countries, drawing on best practices and models from relevant multilateral institutions and to explore new mechanisms to promote transparency and the effective engagement of civil society in its work and that of its subsidiary organs, inter alia by:

(a) Developing by 2014 a process for stakeholder accreditation and participation that builds on the existing rules of procedure and takes into account inclusive modalities of the Commission of Sustainable Development and other relevant United Nations bodies;

(b) Establishing by 2014 mechanisms and rules for stakeholders' expert input and advice;

(c) Enhancing by 2014 working methods and processes for informed discussions and contributions by all relevant stakeholders towards the intergovernmental decision-making process.

3. While input from stakeholders can provide a valuable contribution to the intergovernmental process, decision-making within UNEP remains the prerogative of member States. This policy is intended to facilitate the effective engagement of stakeholders in the work of the United Nations Environment Assembly of the United Nations Environment Programme and that of its subsidiary organs, and in the work of UNEP. The policy provides a set of principles and guidance to UNEP, its staff and stakeholders, and is intended to enhance practices in working and dealing with stakeholders in both routine and special circumstances, and to facilitate the effective engagement of stakeholders in the governance of UNEP. The policy will be accompanied by an implementation handbook, which will be drafted upon approval of the policy.[2]

4. The policy is aligned with all relevant UNEP and United Nations rules and regulations, as well as with the guidelines and initiatives relating to United Nations cooperation with stakeholders.[3] It further builds on General Assembly resolution 67/290 on the format and organizational aspects of the High-level Political Forum on Sustainable Development.

[1] General Assembly resolution 66/288, annex.

[2] The policy will be complemented by an implementation handbook, determining the operational and self-organization modalities of the Major Groups and Stakeholders Mechanism, which will be developed by the UNEP secretariat in an open and transparent manner upon approval of the policy.

[3] Several reference documents guide the work of UNEP and the United Nations in working with stakeholders. These include the following: "Guidelines for participation of major groups and stakeholders in policy design at UNEP" (August 2009) (http://www.unep.org/civil-society/Portals/24105/documents/Guidelines/Guidelines-for-CSO-participation-Aug2609.pdf); "UNEP and indigenous peoples: a partnership in caring for the environment" (November 2012) (http://www.unep.org/civil-society/Portals/24105/documents/Guidelines/UNEP_Indigenous_Peoples_Policy_Guidance_endorsed_by_SMT_26_11_12.pdf); "UNEP guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters" (February 2010) (http://www.unep.org/civil-society/Portals/24105/documents/Guidelines/GUIDELINES_TO_ACCESS_TO_ENV_INFO_2.pdf); "Guidelines on cooperation between UNEP and business" (March 2004); "Guidelines on cooperation between the United Nations and the business community" (July 2000); and the UNEP partnership policy and procedures (September 2011).

Purpose of the policy

5. The outcome document of the United Nations Conference on Sustainable Development called in several instances[4] for strengthened public participation, access to information and access to justice in environmental matters, and underlined the importance of partnerships with civil society in achieving the ambitions of its outcome document.

6. UNEP engages with civil society to benefit from its wide knowledge and experience in sustainable development and its involvement in UNEP processes and activities in keeping the environment under review and setting the global environmental agenda; in developing and implementing policies and programmes; and in improving environmental decision-making, as intergovernmental decisions will have broader recognition by and support from the public if the views of stakeholders are taken into account in the agenda-setting, policymaking, decision-making and implementation processes.

7. Civil society stakeholders often provide a way to channel the voices of those most likely to be affected by environmental problems and related policies, calling attention to emerging environmental problems, taking account of the interests of future generations and reaching out to society and the public at large.

2. The policy

A. Guiding principles

8. In accordance with the outcome document of the United Nations Conference on Sustainable Development, and taking into account the principles adopted by major groups and stakeholders at the Global Major Groups and Stakeholders Forum in February 2013, prior to the first universal session of the Governing Council of UNEP, this policy is founded on the following principles:[5]

8.1. Acknowledgement of the intergovernmental nature of UNEP processes, as set out in paragraph 3 above

8.2. Participation in decision-making processes

UNEP will grant participation and access privileges to all accredited stakeholders, consistent with the rules and practices governing its work. UNEP may also use social media and new information technology to foster broader participation.

8.3. Access to information

It is critically important to disseminate and make accessible the information concerning its work or information generated through its programme as widely as possible. Transparency, accountability, and openness can become a catalyst for achieving a greater impact. In particular in the context of Principle 10 of the Rio Declaration on Environment and Development, it is of fundamental importance to make available relevant information to stakeholders and the public in general.

8.4. Transparency and accountability for mutual benefit

Engagement with major groups and stakeholders is based on the premise of mutual trust and benefit, transparency, responsibility and accountability.

8.5. Respect for diversity of views and self-organization

UNEP acknowledges the diversity of views among its stakeholders and, in striving for greater openness and with a view to embracing the full spectrum of civil society actors, including the UNEP national committees, will ensure that those differing voices are heard, including those outside the nine major groups.

[4] In the outcome document, extensive reference is made to the involvement of civil society and stakeholders (see, for example, paras. 42 to 55 on engaging major groups and other stakeholders). In addition, paragraph 99 reads: "We encourage action at the regional, national, subnational and local levels to promote access to information, public participation and access to justice in environmental matters, as appropriate

[5] *Principles on Stakeholder Participation in UNEP*, adopted at the fourteenth Global Major Groups and Stakeholders Forum, 17 February 2013 (http://www.unep.org/civil-society/Portals/24105/documents/GMGSF/GMGSF%2014/Stakeholder_participation_principles/Participation_and_Transparency_11_principles_as_adopted.pdf).

8.6. Improvements to current engagement practices

UNEP will promote continuous improvement of its current practices, including opportunities for exploring innovative mechanisms, without regression and with regard to current practice.

B. Definition of stakeholders

9. UNEP applies the nine major groups approach, based on the categories of stakeholders as outlined in Agenda 21 and as noted in Governing Council decision SS.VII/5 of 15 February 2002.

10. UNEP therefore recognizes as stakeholders the nine major groups: farmers (including small-scale farmers, fisherfolks, pastoralists and foresters);[6] women; the scientific and technological community (including research and academia); children and youth; indigenous peoples and their communities; workers and trade unions; business and industry;[7] non-governmental organizations; and local authorities.

10.bis. UNEP recognizes the particular importance of environmental non-governmental organizations within the non-governmental organizations major group. UNEP will promote the participation of other stakeholders, such as local communities; volunteer groups and foundations; migrants and families; older persons; and persons with disabilities through the nine major groups.

C. Accreditation criteria and process

11. Accreditation is the main prerequisite for stakeholder participation in the governance of UNEP. Stakeholders, as referred to in paragraph 9 above, seeking observer status with the Assembly and its subsidiary organs must be accredited according to the process set out below.

12. Accreditation will be granted to stakeholders meeting the [following] criteria [as set out in the Rules of procedure.] [contained in the rules of procedure.]:

1. [Being legally constituted] as a not-for-profit entity in a given country;

   [Ensure that their own aims and purposes shall be in conformity with the spirit, purposes and principles of the Charter of the United Nations;]

   [It should ensure, to the extent possible, participation of stakeholders from all regions, and particularly the developing countries, in order to help achieve a just, balanced, effective and genuine involvement of stakeholders from all regions and areas of the world.] (suggest to move to the section on guiding principles)

   [regional balance, manage the number of accredited stakeholders]

2. Having been constituted for more than two years;

3. Having a [track record and [credentials]] [proven] interest in environmental issues; [or sustainable development;]

4. Having a national or international scope of activities.

13. Accreditation with the United Nations Economic and Social Council [and/or multilateral environmental agreements]

Stakeholders accredited with the United Nations Economic and Social Council [and/or with multilateral environmental agreements having equivalent accreditation criteria [, for which UNEP serves as Secretariat]] and who provide sufficient proof of such accreditation will receive UNEP accreditation upon request.

14. Accreditation procedures

Stakeholders seeking accreditation shall forward all relevant documents, including the following, to the UNEP secretariat:

(a) Letter requesting accreditation, printed on the official stationery of the organization;

(b) Copy of the constitution, charter, statutes or by-laws of the organization and any amendments to those documents;

(c) List of affiliates;

(d) Proof of interest or experience in the environment; [or sustainable development;]

(e) Detailed account of the scope of the activities of the organization

[6] Abstracts from General Assembly resolution 66/288, annex, paras. 43, 52 and 53.

[7] "Business and industry" refers to business associations which have a not-for-profit status, not individual private companies.

15. The UNEP secretariat will review the requests and notify applicants of their accreditation. The entire review process will take no longer than three months. The list of accredited organizations will be submitted to the regular session of the Assembly [for review].

[15.bis. The term of accreditation of the stakeholders is six years and it can be renewed for other terms. The Secretariat of UNEP, before each open-ended meeting of the Committee of the Permanent Representatives (OECPR), shall prepare a list of stakeholders seeking accreditation or the renewal of their term.]

[15.ter. A consultation process, upon request, between the concerned member-states and the secretariat regarding the fulfilment of the accreditation criteria shall take place for one month after the OECPR concludes its meetings. [and the further action on such accreditation after the consultation should be made on the non-country objection basis.]

[15.quater. After the expiration of the aforementioned consultation period, the secretariat shall submit to the assembly for adoption at the beginning of its session, the list of Non-governmental organisations and other stakeholders which fulfil the criteria mentioned above.]

[15 ALT – Option 1: The UNEP Secretariat will review the requests against the accreditation criteria and prepare a list of those organisations which comply with these criteria. This list will be circulated among the UNEA members no later than one month before the Open ended CPR session. If a member has a concern about the fulfilment of the accreditation criteria by a particular organisation, it shall inform the UNEA members why this member believes that the organisation does not meet the criteria. The member shall engage in consultations with the Secretariat, and the Secretariat shall inform the members about that decision, and the reason for that decision at the Open ended CPR.]

[15 ALT – Option 2:

1. The term of accreditation of the stakeholders is 6 years and it can be renewed.

2. The UNEP Secretariat will review the requests for accreditation or renewed accreditation against the accreditation criteria, prepare a list of NGOs and other stakeholders which comply with these criteria, and notify applicants and Members accordingly. The list [which shall confer interim accreditation] shall be circulated to all UNEA member states no later than 4 months before the UNEA session. During these subsequent four months until the following UNEA session, the [full] [meaningful] engagement of the new applicants contained in the above mentioned list, is facilitated.

[Any applicant whose request has been declined shall have the opportunity to respond.]

3. If a Member State has a concern about the fulfilment of the accreditation criteria by a particular NGO or stakeholder, it shall communicate this to the Secretariat, which shall inform the other member states and the applicant involved about this concern and the reasons for that concern. That Member state and any other Member state with a concern relating to the fulfilment of the criteria shall engage in consultations with the Secretariat, and the Secretariat shall fully inform the members of the UNEA about the result of these consultations no later than 3 months before the UNEA session.

4. The Secretariat shall submit the list of NGOs and relevant stakeholders to be accredited [, and no concerns have been raised during the consultation] for endorsement by the subsequent Assembly by consensus. ~~[In the event that consensus cannot be reached, any Member state that was engaged in the consultation may propose a change to the list for consideration and adoption of a decision at the first day of the session of UNEA. [If this decision is not adopted, the list as submitted by the Secretariat will be deemed adopted.]~~

5.-[The Assembly will decide [by a majority][8] on whether the applicants on whom a member state still has a concern after the consultation period, will be accredited or not.] [If this decision is not adopted, the list as submitted by the Secretariat will be deemed adopted.]

Accreditation Criteria:

1. [Being legally constituted] [Recognized] as a not-for-profit entity in a given country;
2. Having been constituted for more than two years;
3. Having a proven interest [or] [and] a record of activities in environmental or sustainable development issues
4. Having national or international scope of activities.]

[8] Reference to Rule 48

[15 ALT – Option 3:

1. [The aims and purposes of the stakeholders engagement with the UNEA shall be in conformity with the spirit, purposes and principles of the Charter of the United Nations.] The term of accreditation of the stakeholders is 6 years and it can be renewed.

2. The UNEP Secretariat will review the requests for accreditation or renewed accreditation against the accreditation criteria, prepare a list of NGOs and other stakeholders which comply with these criteria, and notify applicants and member states accordingly. The list shall be circulated to all UNEA member states no later than 4 months before the UNEA session.

3. During these subsequent four months until the following UNEA session, the [full] and [meaningful] engagement of the new applicants contained in the above mentioned list shall be facilitated.

[4. The Secretariat shall submit the list of NGOs and relevant stakeholders having fulfilled the criteria for accreditation for endorsement by the Assembly by consensus.]

5. If a member state has a concern about the fulfilment of the accreditation criteria by a particular NGO or stakeholder, it shall communicate this to the Secretariat, [no later than [three] [two] months before UNEA] which shall inform the other member states and the applicant involved about this concern and the reasons for that concern. [Those applications on which no member state has expressed a concern within that period are considered accredited by the Assembly by consensus.]

6. That member state or any other member state with a concern relating to the fulfilment of the criteria shall engage in consultations with the Secretariat, and the Secretariat shall fully inform the members of the Assembly about the results of these consultations no later than [3] [1] [2] month[s] before the UNEA session. Any applicant whose request has been declined shall have the opportunity to respond.

7. In the case of an application on which a member state still has a concern following the consultation process [, the UNEA of UNEP may make suitable arrangements for consultation with non-governmental organisations which are concerned with matters within its competence. Such arrangements may be made with international organisations and where appropriate national organisations after consultation with the member of the United Nations concerned][9], the Assembly will take a decision [by a majority of the members present and voting][10] [by a three-fourth majority] on that application on an individual basis at the beginning of the UNEA session.]

16. Accreditation is not a requirement for participation in the implementation of projects, programmes or partnerships. Participation modalities in the implementation of such projects, programmes or partnerships are set out in the UNEP partnership policy.

D. Privileges of accredited stakeholders

17. While retaining the intergovernmental character of the Assembly and its subsidiary organs, accredited stakeholders will have the opportunity to participate in the governance of UNEP and to work at two levels: on agenda-setting processes and on policymaking and decision-making processes.

18. All accredited stakeholders shall enjoy the same privileges, which shall include the following:

(a) Accredited stakeholders may participate in all public meetings of the Assembly and its subsidiary organs, in accordance with the relevant rules of procedure. Should participation in a particular meeting be restricted, an advanced notification will be issued. The UNEP secretariat will provide accredited stakeholders with the dates, venue and agenda of the meetings in a timely manner;

(b) UNEP will convene a multi-stakeholder dialogue during the session of the Assembly in accordance with paragraph 5 (e) of Governing Council decision 27/2. The secretariat will provide accredited stakeholders with the dates, venue and agenda of the meetings in a timely manner;

(c) Designated seats will be reserved for major groups and stakeholders in all public meetings of the Assembly and its subsidiary organs. Major groups and stakeholders will designate their representatives according to criteria to be set out in the implementation handbook that will support this policy;

[9] Article 71 of the United Nations Charter

[10] Article 67/2 of the United Nations Charter

(d) Accredited stakeholders will have access to documents publicly available on the UNEP websites and portals; official documents and reports of UNEP; and documentation related to the work of the Assembly and its subsidiary organs, including pre-session and in-session documents made available in public meetings. The UNEP secretariat will make every effort to provide access to such documents in a timely manner, using electronic and other modern information systems to facilitate delivery. Accredited stakeholders will be granted access to relevant information portals [, according to the UNEP policy on access to information]. The UNEP secretariat will ensure that input received from major groups and stakeholders will be made available on the relevant web portals;

(e) Accredited stakeholders will be able to make written submissions to the Assembly and its subsidiary organs, in accordance with the relevant rules of procedure. Such submissions may include contributions and recommendations for agenda items of sessions of the Assembly and its subsidiary organs and recommendations on the subject matter of draft decisions for consideration by member States. Such contributions and recommendations may be submitted to the UNEP secretariat for distribution to member States in time for consideration by the relevant body. The UNEP secretariat will make such submissions available to member States, using electronic means whenever possible;

(f) Accredited stakeholders may be invited to make statements during public meetings of the Assembly and its subsidiary organs, in accordance with the relevant rules of procedure. Session presidents or chairs are encouraged to provide opportunities for accredited stakeholders to speak on topics of interest in such public meetings;

(g) Accredited stakeholders may be invited to participate in relevant regional consultations conducted by UNEP.

E. Responsibilities and obligations of accredited stakeholders

19. All accredited stakeholders shall have the same obligations, which shall include the following:

(a) Accredited stakeholders will be expected to act in accordance with the present policy and the relevant rules of procedure for any meeting or session which they attend;

(b) Accredited stakeholders will comply with the registration requirements and seating arrangements for any meeting or session which they attend. Meeting and session organizers will make every effort to have sufficient seating available for stakeholders during open sessions, so as to facilitate their participation. In situations where seating is limited, stakeholders may be asked to designate representatives to occupy the available seats, in accordance with the procedures laid out in the implementation handbook, to be developed by the UNEP secretariat in consultation with major groups and stakeholders;

(c) Accredited stakeholders will provide the secretariat with a biennial communication outlining their activities in the field of the environment during the previous two years. This communication may be in the form of the annual report of the organization or may be a separate document prepared specifically to comply with this reporting requirement.

3. Other matters

A. Major Groups and Stakeholders Forum

20. Prior to each session of the Assembly and the open-ended meeting of the Committee of Permanent Representatives, UNEP will facilitate the organization of a Major Groups and Stakeholders Forum that will provide an opportunity for accredited stakeholders to consolidate their views and prepare their input to the Assembly and its subsidiary organs.

21. Member States and representatives of international organizations may participate in the Major Groups and Stakeholders Forum as observers. Major groups and stakeholders are encouraged to submit the main outcomes of such meetings in writing to the Assembly, through the UNEP secretariat, on the first working day of the Forum.

B. Major Groups and Stakeholders Mechanism

22. Accredited stakeholders may form stakeholder bodies or other groups to organize their contributions and facilitate their participation in UNEP processes. While self-organized, such bodies

must adhere to the principles of transparency, responsibility and accountability, and respect the diversity of views among stakeholders on all issues.[11]

C. Use of information and communications technology to enhance effective participation

23. The use of modern information and communications technology will enhance the effective participation of stakeholders in a cost-effective manner. In addition to physical presence at meetings, virtual and online participation will also be made possible through webcasting of relevant meetings of the Assembly and its subsidiary organs, UNEP events, information platforms and discussion forums in accordance with the rules of procedure and the related access to information policy.

D. Participation of non-accredited stakeholders

24. While retaining the intergovernmental nature of the Assembly and its subsidiary organs, the president of the Assembly or the chairperson of a subsidiary organ, in consultation with the relevant bureaux, may invite a non-accredited organization or individual, on the basis of their competency, expertise and experience, to meetings of the Assembly and its subsidiary organs for a specific task or purpose, in accordance with the existing rules of procedure.

25. Organizers of other UNEP meetings may invite non-accredited stakeholders, on the basis of their competency, expertise and experience, to participate in panels or thematic discussions on topics of relevance, as appropriate.

E. Consultations with the bureaux of the United Nations Environment Assembly and its subsidiary organs

26. [The bureaux of the Assembly and its subsidiary organs may hold informal consultations with representatives of accredited stakeholders on specific items of mutual interest relating to [Assembly processes] [procedural matters].

F. Funding

27. Funding for stakeholder participation will be accounted for in the UNEP programme of work and budget. UNEP will endeavour to mobilize adequate funding including through extrabudgetary resources, to support stakeholder participation, particularly from developing countries.

28. Member States are invited to provide financial resources or take other initiatives to support participation of stakeholders, particularly those from developing countries, in relevant processes.

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[11] As set out in paragraph 3 of this report, the policy will be complemented by an implementation handbook, which will contain the operational and self-organization modalities of the Major Groups and Stakeholders Mechanism. The handbook will be developed by the UNEP secretariat in an open and transparent manner, and comments will be invited from member States, including with regard to budgetary implications.